

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA	§	
Plaintiff	§	
v.	§	CIVIL ACTION NO.
	§	
REAL PROPERTY AND IMPROVEMENTS	§	
LOT 81, NORTHGATE ESTATES	§	
IN PHARR, TEXAS	§	
	§	
Defendant	§	

VERIFIED COMPLAINT FOR CIVIL FORFEITURE IN REM

Plaintiff, the United States of America, alleges upon information and belief the following:

NATURE OF ACTION

1. This civil action *in rem* brought to enforce the provisions of:

(a) 18 U.S.C. § 981(a)(1)(A), which provides for the forfeiture of real property involved in a transaction or attempted transaction in violation of 18 U.S.C. §§ 1956 and 1957 (conducting a monetary transaction with more than \$10,000 in proceeds derived from specified unlawful activity) and property traceable to such property; and

(b) 21 U.S.C. § 881(a)(6), which provides for the forfeiture of property constituting proceeds generated by a violation of the Controlled Substances Act and property traceable to such property.

PROPERTY SUBJECT TO FORFEITURE

2. The property subject to forfeiture is real property, improvements and appurtenances (sometimes “defendant property”), and legally described as:

Lot 81, Northgate Estates, an addition to the City of Pharr, Hidalgo County, Texas, according to the map thereof recorded in Volume 47, Page 60, Map Records of Hidalgo County, Texas.

The defendant property was purchased new in December 2012 for \$209,000.00. The property is titled to Sandra Nelly de Hoyos Guzman (de Hoyos).

### JURISDICTION AND VENUE

3. This Court has jurisdiction under 28 U.S.C. §§ 1345 and 1355. This court has *in rem* jurisdiction over Defendant Property under 28 U.S.C. § 1355(b). Venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1) and 1395.

### FACTS

4. Osiel Cardenas-Guillen was the leader of the Gulf Cartel prior to his arrest in 2003 in Mexico and his extradition in 2007 to the United States. Jorge Eduardo Costilla Sanchez (“Costilla”) was a high ranking member of the Gulf Cartel who assumed control over the organization following Cardenas-Guillen’s arrest. The Gulf Cartel is a drug organization responsible for the importation and distribution of cocaine and marijuana in the United States generating tens of millions of dollars in drug proceeds. Costilla was arrested by Mexican authorities in Tampico, Tamaulipas Mexico in September 2012.

5. Mario Ramirez Trevino (Ramirez) was a high ranking member of the Gulf Cartel who assumed control of the cartel in September 2012 following Costilla’s arrest. Ramirez was arrested by Mexican authorities in August 2013. Ramirez is under federal indictment in the District of Columbia charged with drug trafficking offenses and related offenses. The drug trafficking offenses generated millions of dollars in proceeds.

6. De Hoyos was Ramirez's girlfriend in 2012. De Hoyos receives money from Ramirez regularly.

7. De Hoyos has no known legitimate source of income to account for the purchase of the defendant real property in 2012. She purchased the property on December 18, 2012, for \$209,000. The property was purchased in cash and structured into multiple transactions that were wire transferred into the United States from Mexico by multiple individuals. Some of those individuals have been linked to drug trafficking activities.

8. In addition to the defendant property, de Hoyos is the registered owner of a 2014 BMW and a 2015 GMC Yukon XL purchased with down payments totaling more than \$25,000 paid by cashier's check and United States currency.

9. De Hoyos has crossed into the United States from Mexico hundreds of times since January 2008. There are no Currency and Monetary Instrument Reports where she declared transporting more than \$10,000 when crossing into or out of the United States.

10. It is reasonable to conclude that the defendant property was purchased with drug proceeds subjecting the property to forfeiture pursuant to 21 U.S.C. § 881(a)(6) for one or more violations of 21 U.S.C. § 801, et seq. and pursuant to 18 U.S.C. § 981(a)(1)(A) for one or more violations of 18 U.S.C. § 1957.

#### NOTICE TO ANY POTENTIAL CLAIMANT

YOU ARE HEREBY NOTIFIED if you assert an interest in the property subject to forfeiture and want to contest the forfeiture, you must file a verified claim which fulfills the requirements set forth in Rule G of the Supplemental Rules for Admiralty or

Maritime Claims and Asset Forfeiture Actions. The verified claim must be filed no later than 35 days from the date (a) you are personally served with the complaint, or (b) this complaint is served in accordance with Rule G(5).

An answer or motion under Fed.R.Civ.P. 12 must be filed no later than twenty-one (21) days after filing the claim. The claim and answer must be filed with the United States District Clerk for the Southern District of Texas and a copy must be served upon the undersigned Assistant United States Attorney at the address provided in this complaint.

WHEREFORE, the United States of America requests that the defendant property be forfeited to the United States and requests such other and further relief to which the United States may be entitled.

Respectfully Submitted,

Kenneth Magidson  
United States Attorney  
Southern District of Texas

/s/ Angel Castro  
Angel Castro  
Assistant United States Attorney  
Federal Bar #: 11415  
State Bar #: 03997340  
600 E. Harrison Suite 201  
Brownsville, Texas 78520  
Phone: (956) 548-2554  
Fax: (956) 548-2770

/s/ Susan Kempner  
Susan Kempner  
Assistant United States Attorney

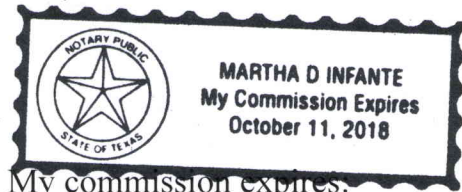
VERIFICATION

I, Charles Kerby, a Special Agent with Homeland Security Investigations (HSI) in Brownsville, Texas, hereby declare under penalty of perjury that I am one of the agents responsible for the investigation concerning this litigation. I have read the above Complaint for Forfeiture. Based upon the investigation conducted by myself and other agents of the Department of Homeland Security, Homeland Security Investigations (HSI) of which I have knowledge, the facts contained in the Complaint for Forfeiture, paragraphs 4-9, are true and correct to the best of my knowledge and belief.

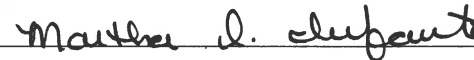
  
Charles Kerby, Special Agent, HSI

Sworn and subscribed before me, the undersigned authority on this 20<sup>th</sup> day of

April, 2015.



My commission expires.

  
Notary Public in and for the State of Texas